

COPY

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Attn: **Mail Stop Missing Parts**

Kazuhiko AMANO et al.

Application No.: 10/614,514

Filed: July 8, 2003

Docket No.: 116474

For: EXERCISE LOAD INTENSITY EVALUATION DEVICE AND EXERCISE EQUIPMENT

**RESPONSE TO NOTICE TO FILE MISSING PARTS
WITH DECLARATION, TRANSLATION AND FORMAL DRAWINGS**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice to File Missing Parts of Application - Filing Date Granted (copy attached) mailed on November 26, 2003, submitted herewith are the executed Declaration of the inventors and, upon information and belief, an accurate translation of the application. Any specification attached to and referenced in the Declaration is a copy of the specification and any amendments thereto which were filed in the Office in order to obtain a filing date for the application.

A preliminary amendment is also attached.

	(Column 1)	(Column 2)	(Column 3)
	CLAIMS REMAINING AFTER TRANSLATION	HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA
TOTAL CLAIMS	*54 MINUS	**54	=0
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			

SMALL ENTITY

RATE	ADD'L FEE
x 9	\$
x 43	\$
+145	\$

OTHER THAN A
SMALL ENTITY

RATE	ADD'L FEE
x 18	\$
x 86	\$ 86
+290	\$

OR

OR

* If the entry in Column 1 is less than the entry in Column 2, write "0" in Column 3.

** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.

*** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

The "Highest Number Previously Paid For" in this space (Total or Independent) is the highest number found from the equivalent box in Column 1 of a prior Amendment or the number of claims originally filed.

Attached is our Check No. 150392 for \$346.00 \$195.00 (entitlement to small entity status is asserted) for the fee under 37 C.F.R. §1.16(e) and §1.17(i) and any excess claim fees noted above.

Also submitted herewith are 20 sheets of formal drawings (Figs. 1-22) in compliance with 37 C.F.R. 1.84.

Entry of these documents should complete all of the filing formalities and fully satisfy all requirements of the Notice to File Missing Parts. Examination and allowance of this application in due course are respectfully solicited.

The Commissioner is hereby authorized to charge any additional fee (or credit any overpayment) associated with this communication to Deposit Account No. 15-0461. Two duplicate copies of this paper are attached.

Respectfully submitted,

James A. Oliff
Registration No. 27,075

Joel S. Armstrong
Registration No. 36,430

JAO:JSA/emt

Date: January 26, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

DEPOSIT ACCOUNT USE
AUTHORIZATION
Please grant any extension
necessary for entry;
Charge any fee due to our
Deposit Account No. 15-0461



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/614,514	07/08/2003	Kazuhiko Amano	116474

25944
 OLIFF & BERRIDGE, PLC
 P.O. BOX 19928
 ALEXANDRIA, VA 22320

CONFIRMATION NO. 7624
FORMALITIES LETTER



OC000000011361713

Date Mailed: 11/26/2003

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text) (see 37 CFR 1.84(p)(2) and 37 CFR 1.52(d)(1)). See Figure(s) 1-4,7,8C,11-13,16-22.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$260 for a Large Entity

- \$130 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.

Replies should be mailed to: Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

N Nguyen
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

O RECEIPT FOR FILING OF PAPERS

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► Mail Room (Regular Delivery)

The following papers have been filed:

Req. for Corr. of PALM; mrkd- up cpy OFR, Supp Appdata, Resp to NTFMP; ck 150392 (\$346); cpy NTFMP; DEC; Transl of 48 pp spec/54 clms/abstract, 20 pp. formal dwngs (Figs 1-22)

Name of Applicant: Kazuhiko AMANO et al.

Serial No.: 10/614,514

Atty. File No.: 116474

Title (New Cases):

Sender's Initials: JAO/emt

173/9

PATENT OFFICE DATE STAMP



**COPY TO BE STAMPED BY PATENT OFFICE
AND RETURNED BY MESSENGER**